



10-20-04

Sequence 1642  
IFW

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)		Application Number	10/071510-Conf. #3451
		Filing Date	February 8, 2002
		First Named Inventor	Edwin CLARK
		Art Unit	1642
		Examiner Name	S. L. Rawlings
Total Number of Pages in This Submission	13	Attorney Docket Number	MRI-027

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment/Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Reply to Missing Parts/Incomplete Application  <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____  <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): Copy of Notice to Comply (1 page) Statement Pursuant to 37 CFR §1.821 (2 pages) Diskette containing Sequence Listing Paper Copy of Sequence Listing (6 pages) Return Receipt Postcard
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	LAHME & COCKFIELD, LLP		
Signature			
Printed name	Hathaway Pease		
Date	October 18, 2004	Reg. No.	46,488

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EL 982 741 505 US, in an envelope addressed to: MS Sequence, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.	
Dated: October 18, 2004	Signature:  (Hathaway Pease)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EL 982 741 505 US, in an envelope addressed to: MS Sequence, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: October 18, 2004

Signature: 

(Hathaway Pease)

Docket No.: MRI-027  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Edward W. Clark *et al.*

Application No.: 10/071510

Confirmation No.: 3451

Filed: February 8, 2002

Art Unit: 1642

For: NOVEL COMPOSITIONS AND METHODS  
FOR THE IDENTIFICATION, ASSESSMENT,  
PREVENTION AND THERAPY OF HUMAN  
CANCERS

Examiner: S. L. Rawlings

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT  
APPLICATION CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID  
SEQUENCE DISCLOSURES**

MS Sequence  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to Comply with Requirements for Patent Application Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed September 16, 2004, Applicants respectfully submit a Sequence Listing Diskette, a Sequence Listing - Paper Copy (6 pages), a Statement Pursuant to 37 C.F.R. §1.821 (2 pages), and a Copy of the Notice (1 page).

No new matter has been added to the substitute Sequence Listing.

Applicants respectfully request the above-referenced patent application be placed upon the files for examination.

Applicants believe no fee is due with this statement. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. MRI-027 from which the undersigned is authorized to draw.

Dated: October 18, 2004

Respectfully submitted,

A handwritten signature in black ink, appearing to read "HATHAWAY PEASE", is written over a horizontal line.

Hathaway Pease

Registration No.: 46,488

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Boston, Massachusetts 02109

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(617) 742-4214 (Fax)

Attorney/Agent For Applicants

**Notice to Comply**

Application No.

10/071,510

Examiner

Stephen L. Rawlings, Ph.D.

Applicant(s)

CLARK ET AL.

Art Unit

1642

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

**Applicant Must Provide:**

- ☒ An initial ~~or substitute~~ computer readable form (CRF) copy of the "Sequence Listing".  
*SR 9/14/04*
- ☒ An initial ~~or substitute~~ paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.  
*SR 9/14/04*
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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